

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PAMELA J. BLANCO,

Plaintiff,

-against-

JOHN BROGAN, individually and
the VILLAGE OF SCARSDALE,
New York,

Defendants.
-----X

07 Civ. 4065 (CLB) (GAY)

NOTICE OF MOTION
TO DISMISS FIRST
AMENDED COMPLAINT

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law dated September 21, 2007 and the Affidavit of Howard M. Miller sworn to September 21, 2007, the Defendant, Village of Scarsdale, will move this Court, before the Honorable Charles L. Brieant, at the United States Courthouse located at 300 Quarropas Street White Plains, New York 10601 at such time as to be determined by this Court for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Complaint in its entirety.

PLEASE TAKE FURTHER NOTICE, that in accordance with Civil Rule 6.1 of the Local Rules of the Southern and Eastern Districts of New York, papers in opposition to this motion must be served on Defendant's counsel within ten (10) business days after service of this Notice of Motion.

Dated: Garden City, New York
September 21, 2007

Respectfully submitted,

BOND, SCHOENECK & KING, PLLC

By: /s/Howard M. Miller
Howard M. Miller (HMM: 4538)
Attorneys for Defendant, Village of Scarsdale
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CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2007, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties and participants:

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s/ Howard M. Miller
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